



# REGULATION

## CONSUMER GRIEVANCE REDRESSAL FORUM & APPOINTMENT OF OMBUDSMAN REGULATIONS, 2005.

**Bhoturia, Banamalipur, Agartala, Tripura (W).Pin-799001  
Ph.(0381)-2326372(O)/(F) 231-556673 ®**

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**TRIPURA ELECTRICITY REGULATORY COMMISSION**  
AGARTALA :: TRIPURA

NO.17 /TERC/2004

Dated Agartala 13.5.2005.

**NOTIFICATION**

In exercise of powers conferred under Section 181 Sub-Section 2(s) and in conjunction with Section 42 Sub-Section (5) of the Electricity Act 2003 ( 36 of 2003) and all other powers enabling on that behalf Tripura Electricity Regulatory Commission (TERC) hereby makes the following regulations covering creation of Consumer Grievances Redressal Forum and appointment of Ombudsman :-

1. **Short title, commencement & Interpretation :**

This Regulation may be called " The Tripura Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Appointment of Ombudsman) Regulation 2005.

- (a) This shall come into force on the date of publication in the Official Gazette unless otherwise stated in these Regulations.
- (b) These Regulations shall be concurrent within the area of jurisdiction of Tripura Electricity Regulatory Commission.
- (c) The Regulation shall be applicable to the Licensees and to its consumers.
- (d) Tripura General Clause Act shall apply in interpretation of various words used unless specified in the Regulation and notwithstanding with the provisions of the Electricity Act, 2003.

2. **Definition :**

In this Regulation unless the context otherwise requires the:-

- (i) "Act" means Electricity Act 2003.
- (ii) "Regulation" means Regulation made under the Act.
- (iii) "Rule" means the Rules made under the Act.
- (iv) "Commission" means the Tripura Electricity Regulatory Commission, constituted under Section 82 of the Electricity Act, 2003 and in short called TERC.
- (v) "The Licensee" means a person licensed u/s 14 of Electricity Act, 2003.

3. Consumer means any person who is supplied with Electricity for his own use by Licensee or Government or any other persons engaged in the business of electricity supply to the public under this Act or in any other law for the time being in force and includes whose premises for the time being connected for the purpose of receipt of electricity with the works of Licensee, the Government or such other persons as the case may be.

5. Forum means Consumer Grievance Redressal Forum established for redressal of grievances of the consumers in accordance with these regulations as per Provision of the Electricity Act 2003 to take care and dispose of the consumers' grievances in the matter of on electricity supply, if any

6. Unless the context otherwise requires word expression occurring in this Regulation and not defined shall have the same meaning as in the Act/Regulation/Order of Commission or in any absence thereof, the meaning as only understood in the Electricity supply industry.

7. Ombudsman means the authority to deal consumers grievances. As per Section 42, Sub-Section (5) (6)(7)(8) and this Regulation for the redressal of any grievance and shall be appointed by the Commission.

#### CHAPTER-I :

#### CONSTITUTION OF FORUM FOR REDRESSAL OF CONSUMERS' GRIEVANCES

1. Under Section 42, Sub-Section (5) of the Electricity Act, 2003 every Distribution Licensee within six months from the appointed date or date of grant of license, which ever is earlier, shall establish a Forum for redressal of grievances of the consumers. There shall be 3-Tier redressal system as given below:-

- (i) TIER-1: At Sub-Divisional level areas to be headed by an executive not below the rank of Asstt Engineer or equivalent.
- (ii) TIER-2: At District level to be headed by a senior executive not below the rank of Executive Engineer or equivalent.
- (iii) TIER-3: At Headquarter level to be headed by an executive not below the rank of Superintending Engineer or equivalent.

The Office of the Forums shall be at a place stipulated by the Licensee to be easily approachable by consumers.

2. The Forum shall publish Notices specifying the names, addresses, designations, telephone numbers and the hours and days of availability of the Redressal Officers for information of the consumers in local papers and must be in an accessible place.

CHAPTER-II :

PROCEDURE FOR GRIEVANCE REDRESSAL -

1. Designation of Redressal Officer, address, telephone numbers etc. should be prominently displayed at all Call Centers and Offices of the Licensees. The designated Redressal Officer should be available for fixed hours of the day during the official working hours which should be enhanced if so required and such information should be displayed prominently at all business locations.
2. Such information should also be notified for information of the public at least once in every calendar year. Also a copy of such procedure may be annexed to monthly bill once in a year to each consumer

CHAPTER-III :

GUIDELINES FOR WORKING PROCEDURE.

1. Any consumer having a grievance may submit a written application to the appropriate designated Redressal Officer at Tier-I initially which should be acknowledged and numbered and recorded for sending information subsequently in respect of his disposal status. Such application should be disposed within 21 days. In case if requires detail consultation or information from any other authority in any case after 7 days the applicant should be replied regarding status of the application. Such time limit will not be applicable to complaints involving standard of performance of the Licensee, norms for dealing such issues will be as per Performance Standard Regulation.
2. If the consumer is not satisfied with the outcome of the first complaint at Tier-I, he may approach to Tier-II as per the procedure similar to that of Tier-I.
3. If the grievance still persists, the consumer may approach Tier-III and reply of the complaint should be given within 7(seven) days of the receipt of the grievance. Tier-III Grievance Redressal Officer besides re-examining the complaint and procedure adopted by the lower Tier Officers shall also consider whether there is any ground for amending of regulation to avoid unnecessary hardship to consumers. In case of necessity he should make suitable recommendations to CEO or CMD of the Licensee organizations.
4. Normally the Grievance Redressal Officer, deal with complaints without insisting upon the personal presence of the complainant, unless so desired by the complainant to be heard in person and GRO opines i.e. necessary to give the complainant a hearing he may also contact and understand the grievances through other mode of communications like telephone etc.
5. The decision of the GRO must be communicated to the complainant consumer. In case the request of the consumer is not accepted then the detailed reasons should be given. To the extent of mechanical disposal of grievances should be avoided. The provision of Electricity Act 2003, Rules and Regulations made thereunder shall be kept in views and duly followed.

6. Adequate information relating to the grievance received and disposed, time taken, etc should be properly maintained and monitored at appropriate senior level of the Licensee.
7. Normally the consumer shall come up with his grievance within 60 days of its cause of grievance unless otherwise authorized by the Commission. A separate petition may be made on that behalf.
8. Suitable steps may be taken by the Licensee to locate interactive voice response system over telephone for lodging such complaint.

#### CHAPTER-IV :

##### JURISDICTION OF THE FORUM.

1. The jurisdiction of the Forum subject to other provisions of these guidelines shall have the jurisdiction to entertain all the grievances within the respective jurisdiction of various Tiers for Redressal. In case of the Tier-III the entire area of Distribution Licensee will be the jurisdiction of the Forum.
2. Any consumer aggrieved by the decision of the Forum at the level of Tier-III may approach within 15 days to the Ombudsman in such form and manner as may be specified by the Ombudsman.
3. Nothing contained in these guidelines shall affect the rights and privileges of the consumer under any other law for the time being in force. However, in case the complainant has filed any complaint before any Consumer Forum or a case before any Court the same has to be mentioned with all relevant details in the application.
4. The Distribution Licensee may make a detailed procedure alongwith all the relevant details and format etc. based on these regulations and the same shall be sent to each consumer within first quarter of the financial year 2005-06. A copy of such procedure may also be made available to the consumer on receipt of a nominal fee of Rs.2/- per copy. A copy of such procedure shall be intimated to the Commission along with the names of the G.R Os.
5. The Commission shall have right to order for change of any GRO or detailed procedure without assigning any reason of the Distribution Licensee shall comply with the order of the Commission immediately and inform the consumer within a fortnight of receipt of the order in this regard.

The Distribution Licensee shall submit a Annual Report regarding total status of grievance received and disposed of during previous financial year and separately confirm action taken to avoid recurrence of such nature of hardships or grievances to consumer and suggestion, if any, along with tariff petition

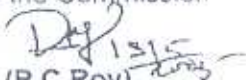
## CHAPTER-V

### APPOINTMENT OF OMBUDSMAN AND FUNCTIONS :

1. Any consumer aggrieved by an order made by the Forum for redressal of grievances of the consumer after Tier three may prefer an appeal within 15 days of the receipt of such order to the Ombudsman
2. The Commission will appoint and or designate an Ombudsman for various Distribution Licensees separately or group of Distribution Licensees or one Ombudsman for all the Distribution Licensees.
3. The Ombudsman shall have full right to relax the period of 15 days under Clause-1 in deserving cases as he may think appropriate provided consumer has not taken the grievance with any other Authority under any law.
4. Ombudsman shall sit at least for two days in a week either in the office of the Commission or in the office of any of the Distribution Licensee as may be stipulated by the Commission. The number of hours put each day will depend on volume of work.
5. For the purpose of preferring an appeal to the Ombudsman a consumer shall submit his appeal in writing in the form as per Annexure-I of this regulation and deliver it or send it through proper mode to ensure that it reaches the office of the Ombudsman within the stipulated time.
6. The office of the Ombudsman shall acknowledge the receipt of the grievance and the Ombudsman shall call for a report with the relevant details from the concerned licensee which the latter shall submit within 10 working days from the date of receipt of the call from the Ombudsman for a report as aforesaid. The Ombudsman may at his discretion allow upto 10 days more in deserving cases if the distribution licensee request for the same in writing.
7. The Ombudsman shall proceed on the basis of the available records in case no details or only insufficient details are received from the licensee within the scheduled time.
8. The Ombudsman after examining the grievance and the report of the licensee shall give his decision in writing and communicate the same to the consumer as also to the licensee within 10 days from the schedule date under clause-6.
9. If he considers it to be necessary, Ombudsman may give a hearing to the complainant and the licensee for understanding the complaint and/or to know the facts of the case or even, for the purpose of settling the issues in an amicable manner.

10. The licensee shall comply with the advice/direction/order of the Ombudsman within a reasonable period of time and submit a report of compliance to the Ombudsman immediately thereafter.
11. Nothing contained in this clause relating to Ombudsman shall affect the right and privileges of the consumer under any other law for the time being in force.
12. The Commission may at its sole discretion, at any time vary, alter, modify, add or amend any provision of this Regulation, if required.
13. If any difficulty arises in giving effect to any of the provisions of this Regulation, the Commission for reasons to be recorded in writing may direct by general or special order, for taking suitable action not inconsistent with the Provisions of this Act, as may appear to be necessary for removing the difficulty.

By Order of the Commission

  
(P.C. Roy)

Secretary of the Commission.

ANNEXURE-I

To  
The Ombudsman

Date .....

Name of Distribution Licensee.....

Sub Service Connection No.....in favour of.....  
Category..... Location of connection.....

Nature of Grievance in brief, but with full relevant details.....

Certified that the above information is complete and correct and nothing material has been omitted which will have effect on the case. I have filed/not filed any case pertaining to similar complaint in any Court of Law or under the provisions of the Electricity Act with any other Authority ( in case any case/complaint has been filed, full details thereof )

(Signature with date)

Name.....  
Telephone No.....  
Address of Complainant  
Consumer.....

Encls:

1. Complaint made at Tier-3 in Forum.
2. Order of the concerned officer of Forum Tier-3.
3. Any other document in support (indicate).